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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant: Yann LeGallo

Serial No.: 10/092,363

Examiner: Redman, Jerry E.

Filed: March 5, 2002

Group Art Unit: 3634

Title: ANTI-ENTRAPMENT DEVICE FOR CABLE-DRIVEN WINDOW LIFTING  
MECHANISM

Mail Stop Appeal Brief-Patents  
Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

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REPLY BRIEF

Sir:

This is a Reply Brief responsive to the Examiner's Answer dated May 19, 2004.

ARGUMENTS

Claims 1, 4 and 16 were rejected under 35 U.S.C. § 102(b) as being anticipated by German patent 19847080 to Sesselmann ("Sesselmann").

In the Examiner's Answer, the Examiner stated that "the applicant's arguments are more limiting than that of the claims" (p. 3). The Examiner also argued that element 24 in Sesselmann still reads on the claimed end stop even though the cable moves through the element 24.

Applicant respectfully reiterates that element 24 in Sesselmann is clearly labelled as a channel and cannot be considered an end stop. Pending claims are entitled to their broadest reasonable interpretation; reading the term "end stop" to cover the channel 24 in Sesselmann goes beyond a reasonable interpretation of the term. "The words of the claim must be given their plain meaning unless applicant has provided a clear definition in the specification." MPEP § 2111.01.

Interpreting the element 24 to be the claimed end stop when it is neither at either end 6, 7 of the cable 5 nor stops the cable 5 in any way goes beyond the plain meaning of the term "end stop" and renders it virtually meaningless. The term "end stop" plainly refers to a stop structure on an end of the cable. Appellant is therefore setting forth arguments that are commensurate with the scope of the claims. There is no other possible interpretation for the term "end stop" without ignoring the plain meaning of the term "end" or "stop." Because Sesselmann fails to show the claimed end stop, it does not anticipate independent claim 1. Thus, the final rejection of claims 1, 4 and 16 is improper and should be withdrawn.

Respectfully submitted,

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Beth A. Beard